

**AGENDA**

**Wednesday, February 12, 2020**

**Time: 10:00 a.m. – 11:00 a.m.**

**Dial: 1-866-685-1580**

**Code: 515-281-7064#**

This meeting is accessible to persons with disabilities. (If you have special needs, please contact the Department of Human Services (515) 281-5455 two days prior to the meeting.) Note: Times listed on agenda for specific items are approximate and may vary depending on the length of discussion for preceding items. Please plan accordingly.

**TELECONFERENCE MEETING  
AGENDA**

**10:00 a.m.** Call to order

**10:05 a.m.** Approval of Minutes – January 8<sup>th</sup>, 2020

**10:10 a.m.** Rules - **Nancy Freudenberg**

The following amendments to the administrative rules are presented for adoption at the February 12, 2020, Council on Human Services meeting:

R-1. Amendments to Chapter 7, “Appeals and Hearings.” In an ongoing effort to streamline the Department’s processes and provide accessibility to consumers. The Department has revised its appeal rules with the following goals in mind:

- Simplification
- Uniformity
- Clarification of scope
- Clearly defining appeal rights
- Protecting self-represented litigants

The Department has sought to eliminate redundancies, streamline processes across programs where permissible under state and federal law, clarify circumstances in which appeal hearings are granted and ensure conformity among appeal processes.

R-2. Adopts a new Chapter 16, “Notices”. Amendments to Chapter 14, “Offset of County Debts Owed Department”; Chapter 40, “Application for Aid,” Chapter 41, “Granting Assistance,” Chapter 46, “Overpayment Recovery,” Chapter 74, “Iowa Health and Wellness Plan,” Chapter 75, “Conditions of Eligibility,” Chapter 76, “Enrollment and Reenrollment,” Chapter 79, “Other Policies Relating to Providers of Medical and Remedial Care,” Chapter 82, “Intermediate Care Facilities for Persons with an Intellectual Disability,” Chapter 83, “Medicaid Waiver Services,” Chapter 86, “Healthy and Well Kids in Iowa (Hawk-I) Program,” Chapter 90, “Targeted Case Management,” Chapter 91, “Medicare Drug Subsidy,” Chapter 93, “PROMISE JOBS Program,” Chapter 95, “Collections,” Chapter 106, “Certification Standards for Children’s Residential Facilities,” Chapter 109, “Child Care Centers,” Chapter 153, “Funding for Local Services,” Chapter 170, “Child Care Services,” and Chapter 187, “Aftercare Services Program,” Iowa Administrative Code.

These amendments adopt a new Chapter 16, “Notices” to centralize administrative rules regarding timely and adequate notices. In addition, these amendments update cross-references in other chapters regarding timely and adequate notices based on changes in Chapter 7 cross references that are being updated. The Department is still required to provide timely and adequate notice. The rules are simply being moved from one chapter into a centrally located chapter and rules are updated accordingly.

R-3. Amendments to Chapter 79, "Other Policies Relating to Providers of Medical and Remedial Care." This rule updates Medical Assistance Advisory Council (MAAC) and Executive meeting rules regarding MAAC membership, voting and duties and removal of the executive committee and responsibilities based on legislative changes from the 2019 session.

R-3. Amendments to Chapter 79, "Other Policies Relating to Providers of Medical and Remedial Care," and Chapter 83, "Medicaid Waiver Services." Legislation from the 2019 session directed the Department to eliminate the monthly budget maximum or cap for individuals eligible for the Medicaid home and community based services (HCBS) brain injury waiver. Legislation also appropriated additional funds to adjust the per diem rates for assertive rates for assertive community treatment (ACT) Services.

*The following amendments to the administrative rules are presented as Noticed rules this month.*

N-1. Amendments to Chapter 86, "Healthy and Well Kids in Iowa (HAWK-I) Program." Legislation from the 2019 session removes the references to the third party administrator for the Healthy and Well Kids in Iowa (Hawk-I) program. These rules also update incorrect references in the rules.

N-2. Amendments to Chapter 176, "Dependent Adult Abuse." Two pieces of legislation recently passed in the 2019 session which resulted in proposed rule changes. HF 569 added personal degradation as a category for dependent adult abuse. HF 323 changed the definition of personal degradation for dependent adult abuse. These proposed rules define dependent adult abuse and the criteria for outcome determinations for dependent adult abuse evaluations conducted by the Department for personal degradation.

N-3. Amendments to Chapter 176, "Dependent Adult Abuse," and Chapter 177, "In-Home Health Related Care." These proposed amendments add provisions for coordination of services to avoid duplication. The rules also add clarification when reviews need to be completed and when services may be terminated. The amendments remove form names and numbers.

N-4. Amendments to Chapter 187, "Aftercare Services and Support." Aftercare rules were recently changed by the Department. There was an oversight when changes were made and an incorrect dollar amount was cited in the amount of services some participants may receive for financial support for aftercare programs. This proposed amendment corrects the rule clarifying that youth may receive up to \$300 per quarter, which was the original intent of the rule.

<b>10:30 a.m.</b>	Managed Care Update – <b>Mike Randol and Mary Stewart</b>
<b>10:40 a.m.</b>	Council Update
<b>10:50 a.m.</b>	Director's Report – <b>Director Kelly Garcia</b>
<b>11:00 a.m.</b>	Adjourn